DADE COUNTY COMMISSION

REGULAR MEETING

SEPTEMBER 6, 2012

MR. RUMLEY: We'll go ahead and call the meeting to order here, about 6:25. I appreciate all of you being here, staying here through the work session. We've already said our prayer and Pledge of Allegiance. At this time I'll go ahead and get a roll call. Mr. Cervelli?

MR. CERVELLI: Here.

MR. RUMLEY: Mr. Goff?

MR. GOFF: Here.

MR. RUMLEY: Mr. Pittman?

MR. PITTMAN: Here.

MR. RUMLEY: Mr. Smith?

MR. SMITH: Here.

MR. RUMLEY: This is the regularly scheduled meeting of the Dade County Board of Commissioners which takes place at the same time on the first Thursday of every month. Proper notice of this meeting was given in the legal organ and has been posted in the hallway of the Administrative Building. We do have a forum and, therefore, it is a legal meeting.

Mitchell, do you want to go ahead and give your report?

MR. SMITH: At the 911 call report for this past month, there was 1,672 calls made of which

173 were fire and rescue, 14 public works, 1,222 law enforcement calls and 263 EMS calls. This past month we've had to -- I've had to, my family has had to, I'll put it that way, deal with Puckett. It's nice to have an ambulance service around. You know, it's one of those things you really don't want to have to use, but they've been very courteous and helpful in the situation, family situation with my mom and stuff, having to take her here and there. So that's all I've got.

MR. RUMLEY: Thank you, Mitchell. Scottie?

MR. PITTMAN: We did buy the paving machine and Billy and the road crew have been out on Sand Mountain. They were paving, learning how to use it basically and it came as a natural, natural reaction. They've done an excellent job. They've paved Kirkpatrick, Workman Drive, Workman Road, Bible Camp Road, Brown Gap Cemetery and they've still got Tram and maybe one more left on it.

MR. RUMLEY: Holland.

MR. PITTMAN: They've done a great job.

It looks like they've been using it for years,

haven't had any complaints. I'm sure the residents

on every one of those roads are more than thrilled

1 that they've got fresh asphalt. 2 MR. RUMLEY: Billy found out there's 3 autopilot. He just pushes the button and they come 4 back down to the shop. It's one of those deals, you 5 know. 6 MR. PITTMAN: They've done a really 7 good job. 8 MR. RUMLEY: Oh, I didn't know you were 9 back there, Billy. 10 MR. GOFF: The machine is still 11 running. 12 MR. RUMLEY: That thing is out there 13 running somewhere right now. 14 MR. PITTMAN: That's all I've got. I 15 appreciate Billy and the road crew. 16 MR. RUMLEY: All right. Robert? MR. GOFF: I'll ditto everything 17 1.8 Scottie just said. I think it's going to be a great 19 thing. I know you're going to report more on the 20 savings of it as we're able to do the roads and all 21 that and be able to use S.P.L.O.S.T money and to do 22 the savings. It's great. 23 Report on the parks and recreation, 24 everything is getting wound up for soccer and 25 football down at the four fields, we call them.

there will be a lot of little youngens hanging around down there and having a great time and some of them one day will end up in the NFL or on the soccer and we'll say we knew them way back when, but things are looking good down there.

Also, I would like to plug in. I guess most of you know that, of course, school started back late this year. It only started just a couple of days ago, but we've already had one ballgame and we will be playing our first home game here tomorrow night at Dade County High School, be playing North Murray County. So I hope that we have a good attendance because that gate is good for the kids that get out there and work so hard. The Middle School is playing today as a matter of fact.

They're playing Trion over there, I guess, as we speak. The game would probably be about over, but just some of the things that are going on. You don't have to go far to be entertained sometimes.

So I just hope that you keep that in mind.

Also, one other thing. We know we just came through one election. We've got at least one more to go that will affect our nation, but as much will affect our community in the district one of the Georgia House of Representatives. We will have --

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regardless of what happens, we will have a Dade County person serving on the -- as a representative. It will be either the Republican or the Democrat, however people choose to go out and vote on that But as I say this and I usually report as the legislature is going on on things that are coming up and I did warn every one of them. Whoever gets elected, I'm going to wear your doorstep out for a while, so they're only down there for about forty days, but I want you to be thinking about those things and thinking about the things that are coming up that we want them to help us out here in Dade County, not any more than anywhere else. They're there to do a job for the state, but it will be nice, I think, to be able to have a person we can actually see on our street, see in our marketplace here in Dade County. So keep that in mind and by all means, when November rolls around, it's a couple of months away, get out and vote. Get out and vote because it will be something that's going to affect this nation however it goes and however you believe, but the important -- we just went through a very good runoff election, but still when we look at the people in Dade County that don't vote, about 6 and 7,000 people that are registered voters that don't

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get out and take time. It could make a vast difference in our community and the way things happen and it's a privilege that many, many people die for in a lot of nations every year have the opportunity to choose the people that govern over them. So God blesses us in many, many ways. Thank you.

MR. RUMLEY: Thank you, Robert. Peter?

MR. CERVELLI: I must say that school

finally opened when it's supposed to, which is after

Labor Day.

MR. RUMLEY: Like it used to be.

MR. CERVELLI: That's the way I remember it anyway. I'll talk about our finances, local option sales tax report. For August, we collected \$164,644. That's about \$10,000 less than we collected last August 2011. That's 6.4 percent less -- and 6.4 percent less than the previous month. Even though we've -- if my notes are right here, we've collected about four and a half percent more this year than we have last year through August. When I look at how numbers are trending, they've actually been trending lower every month by a slight amount in terms of sales tax. I use a three-month moving average to smooth it out, but

it's trending lower, not by a lot. I've been saying probably for a year and a half or two years we just need to be cautious about how we spend our money in terms of expecting sales tax to be some great surprise for us to help pay some things that we're not anticipating.

We've collected just about \$1,333,000 so far this calendar year versus \$1,276,000 last calendar year from January through August, calendar year estimate.

In terms of our S.P.L.O.S.T, we collected \$205,800. That's sort of still the same trend, but those are good numbers and they'll do well for us in terms of managing our capital budget.

In terms of our July, the first month of our new fiscal year, where that's eight percent of the year essentially, one month. Revenues were 4.18 percent and expenses were 6.8 percent and that put us negative about \$239,000 and that's a cash flow issue. Cash flow meaning that this is the lean time in terms of when we collect most of our dollars. Obviously, property tax is a big collection period next month. We'll have a large check come in for, I think, utilities, Don; is that correct?

MR. TOWNSEND: Insurance premium.

MR. CERVELLI: Insurance premium, about \$600,000. So we're in a little bit of a dry spell in terms of revenue, so that gap, cash flow gap of about 239,000 will get a little bit worse, but as we start to collect toward the end of the calendar year, that number will dramatically improve. There really is another way to look at that and I talked to Don about that today in terms of how well are we forecasting where we thought we would be and we really don't report on that, but I think we should. It tells us how well we thought we would be at this point. If we look at where we thought we would be at this point, we're about \$91,000 short of where we thought we would be at this point, we're about \$91,000 short of where we thought we would be at this point.

Don has found some errors in how we've spread the budget forecast, so that number probably will, I think, improve as he corrects some of those errors. We've had some expectations where we're going to spend a penny in some of our accounts. Well, that was wrong. And so as we get those correct numbers in here, that forecast number will improve. So we're really tracking two things, cash flow and how well we forecast.

The June budget, which is when we

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closed our fiscal year, we are still making some minor checks to make sure that we've collected all the revenue and expense for our last fiscal year and we do that because our auditors are going to show up shortly and they're the ones that are going to tell us exactly how we've closed the fiscal year. So Don is making one final pass to make sure we've collected all the correct revenue and all the correct expenses so that when they get here, they'll have the best data to work with.

The only final thing I would like to say is in terms of some of the accomplishments that we've done here recently as this Commission, and Ted will talk about that, brag a little bit on it, you know, we talked about putting this jail kitchen in. We bought this paver and you heard some words about that. These two are turning out to be significant cost savings for us. So I think with some diligent planning and foresight, we've got two projects here that are really starting to pay off. Ted was going to talk about it anyway, but I was going to punt the ball to him to at least say I consider those some significant accomplishments of the Commission to find a way that we've actually saved real dollars real fast. So thank you.

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MR. RUMLEY: Thank you, Peter. I'll go right into the two that you mentioned there, the paver. You might have heard us talking about it earlier. Billy is back there and he can vouch for that. Both of us have run the numbers on it and with the mileage that we've paved since we've had the paver, if we had to hire that done through an independent paving company, we've actually just a little bit more than paved for the paver. We're saving anywhere from 35 -- Billy says close to \$40,000 a mile on the paving by doing it ourselves. We figured everything. We figured, you know, fuel, the paver, what we're paying per ton and plus our labor on our men. So that's a real plus. It's a good thing.

The jail kitchen, we've got our first two bills here, which we were billed and we pay this weekly as we always have to a restaurant. We were averaging around in a year's time approximately \$4,000 a week. Some weeks were a lot more than that, but an average of \$4,000 a week that we were paying for inmate meals. The first bill we had that we actually got was 1,600 -- I'm sorry. It was \$2,010 and we calculated the propane that we used and also we put a little bit in for electricity, so

you're looking at probably about \$2,300 for that one and there was, I think, 45 people there. The next bill is \$1,663 and we dropped down, I think, to 42 on that one. So in itself right there, that's -- like Peter said, that's real money. That's real money that we're saving. So even more so with the jail kitchen because that's something that will be here forever, we hope.

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The roads is something that's a big savings because the roads are getting -- these roads that we were paving, they were at a point where if they went through one more winter, we would have had to really replace the base and everything. why -- we started on Sand Mountain. The reason being, it wasn't anything to do with Scottie, but we started where our worst roads are at. We're actually going to pull off Sand when we finish those roads and we're going to go to Lookout. We've got some roads up there and then we've got one over in Coal City Hollow that's real bad we're going to try to take care of and there's a couple in the south and a couple in the north end. We're doing these as our S.P.L.O.S.T money, as we can afford. We by far won't finish all of our roads in one summer, this summer, but next year we've got our own paver, like

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I said, and we're going to hit it again. So just bear with us. Just because you didn't get your road paved, I promise we're evaluating these things and we'll get to it as money comes in.

I want to touch a little bit on the --I mentioned it last week -- last month, the Hospital Authority. Evan, are you still here? He's on our board over there and so is Alex Case. We really kind of see the light at the end of the tunnel on Hutcheson over there. The hospital itself turned a small profit last month or this month and that's really great because a year ago this time, they were losing like \$1.1 million a month. And so, you know, really it's just slowly but surely, the management over there is turning around. So that's really a good thing. A lot of people -- some of you may not realize why I'm even touching on it, but that is a tri-county hospital. We do have investment in that, in that hospital. So, you know, it is our indigent provider, our major indigent provider for Dade County. They take care of our prisoners. They do our indigent work for our jail. So keep them in your prayers because it is a big issue for Dade County.

And for a lesser note, I guess you

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might say, I noticed on my calendar, Robin, I've got a scheduled meeting tomorrow for the bankruptcy court. Has that been canceled?

MR. ROGERS: I have not heard anything.

MR. RUMLEY: I put it in three weeks ago. So we'll touch on that. I'll check in the morning because that's been -- what that is is actually the -- I say something about this practically every month. The actual TAS and Southern Group on the south end there, the development there, they are -- have filed bankruptcy and, of course, that means they owe us roughly half a million dollars, so that's big money, too. Robin, you can advise me in the morning and we'll report back to you the next meeting or report back to Evan and Evan can -- Eddie, and they can put --

MR. SMITH: We need to check with the other Robin and make sure that's right.

MR. RUMLEY: Oh, she never misses a meeting. That's one good thing about it. She's -- even if we -- we've got up there a couple of times and she drove all the way up there for nothing because you never know when you walk in, you're there five minutes and they say, okay, postpone it for another two or three months. That really gets

aggravating to us and to you, too. We do appreciate you reporting on it.

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Also, I had a meeting this week with the mayor pertaining to our energy tax that has actually been removed from our industry. That's something we've got until January to make a decision on as to whether -- the state gave us the right to actually levy, to recoup from that tax because that is revenue that the city and the county has been dependent on for years and they've actually waived that for all industry. Now, you've got to look at it two ways. You've got to look at it, well, we've got to first find out how much it actually is and how much it will affect us, which is almost impossible because the Department of Revenue, they don't keep up with that. They don't give a report on that. The only way we can actually accurately find out would be either a power bill, electric bill, which is something you can't -- because of privacy, you can't just go out and get. So we've got to do an estimate on that and we'll be meeting back with the mayor and the council in the next few weeks. We can actually levy up to two percent of the tax. So we will keep you informed on that in the weeks and months to come, as to whether we

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choose to go and actually levy the tax, which will be possibly one to two percent.

Also, I do want to mention the Relay for Life. That will be the first week in October. I was going to put a plug in for them and also Saturday night at the -- they're kind of teaming with the cruisers at the Cruise-In. It will be a big night. We hope a lot of the survivors will be there and you'll be able to meet those people and also we're going to have music, live entertainment and, of course, all kinds of cars there hopefully. So y'all try to turn out for that. Anyone want to add anything to what I said?

MR. CERVELLI: Yeah. I'm glad you reminded me. On 9/15, I think they're still going to dedicate the Korean Memorial Highway from Alabama to Tennessee I-59. I know the American Legion has reached out to about a half dozen Korean War veterans. I can't give you all the details of that, but please keep posted in terms of newspapers in terms of what the specific plans are, but I think that's still September 15th.

MR. RUMLEY: That will be a big event.

I think they've got really a lot of the Korean

people that are coming. I know they notified, like

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you said, a few. I think they've notified several groups, you know. I was talking to Ray Moore there out on Lookout yesterday. They're looking for a big turnout hopefully. The big thing is to try to -we're working with the state, Mullis and all. interstate, I don't know if y'all have noticed this, but it's pretty ragged looking, you know, the stretch through here and a lot of overgrown -- you know, even though they've mowed it, there's still some Mimosa trees and tires and recaps and all that. So hopefully -- they've assured us they'd clean it up before then because that would be kind of embarrassing to have it looking like it is. Anything else, Robert, you want to add?

MR. GOFF: I would like to -- since you brought it up, the bankruptcy whatever, ask Robin. They just changed -- did they just change from Chapter 7 to 11?

MR. ROGERS: From 11 to 7.

MR. GOFF: Exactly what does that mean? What is the --

MR. ROGERS: Chapter 7 is a liquidation of the assets. So you actually liquidate your assets and pay off creditors and Chapter 11 is similar to Chapter 13 before it was introduced.

Chapter 11 is for businesses. Chapter 13, you have 1 2 a schedule of payments and, you know --3 MR. RUMLEY: You keep what you've got. 4 They let you pay --5 MR. CERVELLI: You reorganize. MR. RUMLEY: What about TAS? I know 6 7 Southern Group, which had not filed anything, they 8 are actually -- they let them go into, what. 9 Chapter 7 or 11? 10 MR. ROGERS: I think 7, but I'm not 11 sure on that. 12 MR. RUMLEY: And then TAS, which was the original filer of the bankruptcy --13 They were converted from 14 MR. ROGERS: 15 13 to 7. MR. RUMLEY: So they are in 7. Okay. 16 17 Any other comments? 18 Mayor, don't see him here tonight. I 19 don't see the mayor of Lookout Mountain, Buddy 20 Sampson. All right. We'll move down to Don 21 Townsend, our CFO. MR. TOWNSEND: As of August 31st, 22 23 2012, we have a balance of \$176,151; Federal Asset 24 Fund, U.S. Treasury, \$288; Sheriff's Special Fund, 25 \$1,646; Drug Abuse Education Fund, \$108,194;

Supplemental Juvenile Service Fund, \$20,966s, Victim Assistance Fund, \$1,225; Jail Fund, \$30,352; Federal Asset Fund, Department of Justice, \$3,162 and payroll account, \$17,314. Construction account in the S.P.L.O.S.T remaining is \$14,319, which basically equals a balance due to the fire departments of Davis. They have a remaining balance of \$4,847 and West Brow, \$9,431.

Projects account, \$184,535. That's where we've primarily been paying out of the paving that's been going on. That's the fund that we're utilizing there and also proceeds account is \$1,129,211, which continues to grow. I think we only lack about 60, \$70,000 and we'll have enough to pay our bond payment and that's due in November, so we're doing fine there. The S.P.L.O.S.T has been coming in around 200,000, so that's no problem.

Commissioner Cervelli has already reviewed the report for the general revenue, general fund revenue and general fund balance sheet, but just to recap, the actual for July 31st, 2012, the actual revenues obtained, \$372,586, which we had budgeted \$490,631 and the same with the expenses is \$612,122 and we actually did come a little under budget on that one. We had budgeted 639,214.

penny.

He mentioned a couple of line items, more than a couple probably, in our budget. We have a 65-page report that I can go through and after it was uploaded into the mainframe to produce these reports, some of the seasonality, what I call seasonality of the funds, was not dispersed exactly right across the year. What that means is if you've got a line item of \$12,000, you'll have \$1,000 per month, but there's some line items of money that, you know, we only get a grant proceed once a year. So that's what he was referring to when you see a

The reason we have to budget a penny in July, since we're dealing with July reports, if I don't budget that penny, then it doesn't show up for the rest of the year. The line item may not show up until July of -- or June of next year. So in order for it to show up, we go ahead and do that. It's a little deceiving. I didn't want you to think we had a penny for the whole year. Anyway, if you look to the far right, you'll see the entire budget line item amount that's been budgeted.

So saying all that, there have been several corrections. This is the report I'm talking about. I've gone through and looked and pretty much

every page has some red ink on it. So what we need
to do is go back in and put that seasonality, build
that back in. It gets stripped out almost every
year. It's hard not to. There's a spreadsheet that
we upload it from. It just happens. I'm trying to

story. We won't go there.

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But anyway, the bottom line is I need to go back and put some of that so it's reflected. Based on what I have seen this afternoon, it will dramatically change that line item. So it won't look as bad. I think it will actually look a lot better, referring to the cash flow and stuff. I just wanted to clear that up a little.

use the same spreadsheet from year to year, but long

August Local Option Sales reported was \$164,644 and S.P.L.O.S.T, Special Local Option Sales Tax, \$205,800 and I believe that's it.

There is a -- well, there is a report a couple of pages back that shows you the tax revenue for the property taxes primarily for the Dade County Tax Commissioner's Office since she generates quite a bit of revenue for us. And you can see that the county's portion so far, we're only collected at 1.54 percent and the reason is the tax bills have not gone out yet. Good news, bad news, I don't

know. It depends on how you look at it. We need the money. It has been a pretty dry July as far as funding coming in. Revenues have been really struggling to come in.

So I talked to Angie Galloway today and she's deputy tax commissioner and she reports that the bills have gone to the printer and they will go out early. So you'll be receiving those. She reported actually the online billing will probably be available as soon as tomorrow and definitely Monday and some people, you know, will probably start paying a little early. So that's a good thing for us. Hopefully some will come in in the next few days and that number will go up.

Come January 2013 we'll see that number well over 60, 70 percent. So we collect most of it in December, most of it, but hopefully we'll get a few dollars here in the next few days. Thank you.

MR. RUMLEY: Thank you, Don. Any questions for Mr. Townsend? If not, I'll entertain a motion to approve the financial report as presented by Mr. Townsend. Do I hear a motion?

MR. GOFF: I make a motion we approve as read.

MR. RUMLEY: Do I hear a second?

1 MR. PITTMAN: Second. 2 MR. RUMLEY: I'll call a vote. Mr. Cervelli? MR. CERVELLI: Yes. 5 MR. RUMLEY: Mr. Goff? MR. GOFF: Yes. 7 MR. RUMLEY: Mr. Pittman? MR. PITTMAN: Yes. 8 9 MR. RUMLEY: Mr. Smith? 10 MR. SMITH: Yes. 11 MR. RUMLEY: The chair votes yes. Robin, have you got anything --12 13 MR. ROGERS: I do not. MR. RUMLEY: -- that you would like to 14 15 add or report on? 16 MR. ROGERS: I do not. 17 MR. RUMLEY: Unfinished business, we're fine. Okay. Don, I want to ask you to go over the 18 19 consent agenda. 20 MR. TOWNSEND: On the consent agenda, 21 we have approval of the previous meeting minutes, 22 approved as amended, review of the employee head 23 count report, the First Responders Appreciation Day Proclamation for September 11th, Childhood Cancer 24

Awareness Month the month of September proclamation

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and also S.P.L.O.S.T capital equipment approval of 1 Ham Model HD14VV asphalt roller for a cost of 2 3 \$7,596. MR. RUMLEY: Any comments, any changes? Okay. The reading of the minutes of last month's 5 regular meeting and any special-called meeting will 6 not be required since all commissioners have been 7 8 furnished copies in advance. The minutes are public record and available for review in the County 9 Commission office. The minutes are included in the 10 consent agenda and will be considered for approval 11 in new business. At this time I'll entertain a 12 motion to approve our consent agenda. 13 MR. PITTMAN: I make a motion we 14 15 approve the consent agenda as read. 16 MR. RUMLEY: Do I hear a second? 17 MR. SMITH: Second. 18 MR. GOFF: Second. 19 MR. RUMLEY: Okay. I'll call a vote. 20 Mr. Cervelli? 21 MR. CERVELLI: Yes. 22 MR. RUMLEY: Mr. Goff? MR. GOFF: Yes. 23 24 MR. RUMLEY: Mr. Pittman? 25 MR. PITTMAN: Yes.

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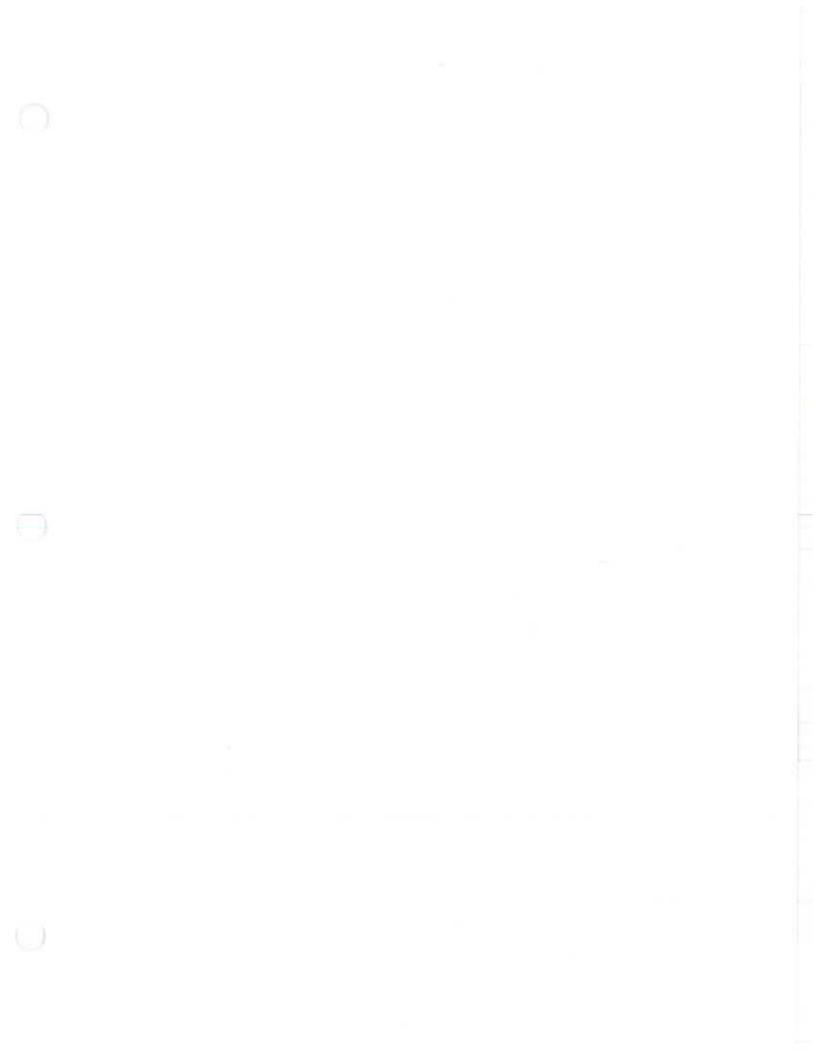
MR. RUMLEY: Mr. Smith?

MR. SMITH: Yes.

MR. RUMLEY: And the chair votes yes. Okay. Anyone want to come up and talk to us tonight? Come on.

MS. SAMS: I'm still Jenny Sams. is a different topic. I just want to reiterate what Robert said about the importance of coming out to vote and making an informed decision and I wanted to announce that there's going to be a series of debates throughout the county and the first one is September 11th at the New Salem Community Center at 6:00 and that's Tuesday of next week and it's a chance to meet the candidates, ask questions and make an informed decision.

MR. RUMLEY: Thank you. Anyone else? MS. TINKER: The Chamber is selling duck race tickets. They're \$5 apiece or \$25 will get you a duck in each race. It is on September 15th, but you don't have to be present to win and we do have three different ones of us here tonight selling them. You can buy them from our ambassadors, our board members or me. The first prize is \$500, second prize, \$300 and third prize is 200. So if you want to buy some duck race tickets,



1 I have some available. 2 MR. GOFF: I think if they get like a 3 ticket war going on --4 MR. RUMLEY: Audrey and Lionel said 5 they're selling theirs at half price. Anyone else want to talk tonight? 6 7 MR. TINKER: I've just got a question. 8 On your LARP, are you going to do your own LARP 9 paving, too? 10 MR. RUMLEY: We are. We are. We're 11 buying our asphalt a lot less than the state 12 contract right now. I don't know how they're 13 selling it to us. 14 MR. TINKER: And I'm sure you do a good 15 job because he does a good job sometimes. MR. RUMLEY: Go out and look at Bible 16 17 Camp. They just finished it. 18 MR. TINKER: I worked with Lafayette 19 and when they first got their paving crew together, 2.0 son, they couldn't nobody do no worse than what they 2.1 did. It took them months to really pick up on how 2.2 to do it. MR. RUMLEY: It's really working out 23 24 good. You do need to go look. 25 MR. TINKER: You'll be coming my way

though if you're going to get -- Tram Road, didn't 1 2 you say Tram? 3 MR. RUMLEY: Yeah. MR. TINKER: It's close to --5 MR. GOFF: That's in the year 2020. MR. RUMLEY: You can smell the smoke 6 7 off the asphalt when the wind is blowing right. 8 You'll know we're getting close to you. 9 MR. TINKER: I have to go to the plant 10 every day and get a hit off of it. 11 MR. CERVELLI: Billy has gotten a tan 12 coming off the asphalt actually. 13 MR. RUMLEY: Okay. If there's no 14 other -- anyone else want to talk? No executive 15 session. I'll entertain a motion to adjourn if 16 anyone else hasn't got anything to say. Do I hear a 17 motion to adjourn? 18 MR. PITTMAN: I make a motion we 19 adjourn. 20 MR. RUMLEY: Do I hear a second? 21 MR. GOFF: Second. 2.2 MR. RUMLEY: I'm going to call a vote 23 on this. Mr. Cervelli? 24 MR. CERVELLI: Yes. 25 MR. RUMLEY: Mr. Goff?

MR. GOFF: Yes. MR. RUMLEY: Mr. Smith? MR. SMITH: Yes. MR. RUMLEY: Mr. Pittman? MR. PITTMAN: Yes. MR. RUMLEY: Everybody votes yes. Meeting adjourned. Thank you all for being here. MEETING WAS ADJOURNED

REPORTER'S CERTIFICATE

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

I, Erin M. Flatt, LCR #307, CCR, licensed court reporter and notary public, in and for the State of Tennessee, do hereby certify that the above meeting was reported by me and that the foregoing 43 pages of the transcript is a true and accurate record to the best of my knowledge, skills, and ability.

I further certify that I am not related to nor an employee of counsel or any of the parties to the action, nor am I in any way financially interested in the outcome of this case.

I further certify that I am duly licensed by the Tennessee Board of Court Reporting as a Licensed Court Reporter as evidenced by the LCR number and expiration date following my name below.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this 20th of September, 2012.

Erin M. Flatt, LCR #307 Expiration Date: 6/30/2012 Notary Public Commission Expires: December 21, 2014.

